DEPARTMENT OF STATE

ACTION MEMORANDUM

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COPIES TO:
HA
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March 6, 1978

To: The Secretary

Through: The Deputy Secretary

From: HA - Patt Derian

Institute for Human Rights and Freedom

Congressmen Dante B. Fascell and Donald Fraser will be introducing legislation tomorrow to establish an independent federal agency -- the Institute for Human Rights and Freedom. The Institute (the reincarnation of the endowment for human rights concept) would act in a manner similar to the National Endowment of the Arts by providing financial and other assistance to private individuals and groups working to promote international human rights.

The Institute will be directed by a 7-member board of directors appointed by the President and would have a staff of no more than 25 persons. The Board would give consideration to the foreign policy of the United States and the Secretary of State would keep it informed as to current policy but it would not be subject to the direction of the State Department.

It would provide assistance to non-governmental organizations and individuals for such purposes as conducting conferences, publishing books and articles which were suppressed for political reasons, carrying out research and studies, supporting legal defense for victims of political persecution.

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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY R. Salas DATE 12/23/83
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TS AUTH. REASON(S)
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They will be working with Senators Church, Kennedy, Jackson, Case, Pierson, Percy et al to introduce a similar bill on the Senate side. House hearings on it are planned for early April.

I believe that the Administration's general position should be supportive of the concept and the legislative initiative with a suggestion that some recommendations for improvement might be made after we fully review the draft bill. Since both State and the White House undoubtedly will be receiving press inquiries tomorrow as to our views, I have enclosed a proposed question and answer for tomorrow's press briefing and an evening reading for the President.

Recommendation

That you approve the attached Question and Answer for tomorrow's press brief and the evening reading for the President.

Approve _____ Disapprove _____

Date _____

Time _____

Attachments:

1. Press release on Fascell/Fraser legislation
2. Proposed Question and Answer
3. Evening Reading

Drafted:HA/HR:MLSchneider;d
21181:3/6/78

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WASHINGTON, D. C. 20515

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FOR RELEASE ON:

Tuesday, March 7, 1978
10 a.m.

A bill described by its sponsors as a "major legislative initiative in the field of human rights" will be introduced in the U.S. House of Representatives on Tuesday, March 7, 1978 by Congressmen Dante B. Fascell (D-Fla.) and Donald M. Fraser (DFL-Minn.).

The bill would establish an independent federal agency — the Institute for Human Rights and Freedom — to promote international respect for and observance of human rights and fundamental freedoms. The Institute would basically act as a foundation providing financial and other assistance to private groups working to promote international human rights.

Congressmen Fascell and Fraser issued the following joint statement on the bill:

"The Institute would provide a new and positive tool for U.S. efforts to promote human rights around the globe.

"The first year of the Carter administration has clearly shown that what the United States says and how we act does make a difference.

"Heretofore, the United States has relied basically on the weight of world opinion to foster improved respect for fundamental human rights. To a lesser extent we have used the threat of curbing or withholding military or economic assistance to express our concern for the ideals and values we cherish as the rights of all persons.

"We believe the time has come for the U.S. Government to embark on a new and more positive approach to promoting international respect for human rights. The creation of an Institute for Human Rights and Freedom would enable the United States to take a new initiative to stimulate and encourage the efforts of those abroad working for human rights. The Institute would provide a positive and constructive alternative to rhetoric and aid cut-offs on which we have thus far been forced to rely.

"We offer this bill for consideration as it is a carefully sculpted concept ready for immediate enactment, but is also a proposition we believe deserving of careful study and active consideration by Congress. It is our intention to begin hearings on this legislation in early April."

The Institute would operate under the direction of a 7-member board of directors appointed by the President, subject to Senate approval and would have a staff of no more than 25 persons.

To promote international human rights, the Institute would be authorized to provide assistance:

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1. to private organizations actively involved in promoting human rights;

2. for conferences on human rights;

3. to publish books and articles and to promote their dissemination and the display of artistic works which have been suppressed for political reasons;

4. to research and studies in the areas of human rights and fundamental freedoms; and

5. to non-governmental organizations which support victims of political persecution.

Assistance provided by the Institute under the bill's provisions would have to be provided:

1. only to private individuals or non-governmental organizations;

2. openly -- with all decisions regarding assistance being published promptly in the Federal Register;

3. with the full approval and knowledge of the recipients; and

4. consistent with the laws of countries in which assistance is to be used.

Under the terms of the bill, the Board "shall give consideration to the foreign policy of the United States" in providing assistance "but shall not be subject to the direction of the Secretary" of State in carrying out the programs of the Institute.

The bill authorizes $5 million for the Institute's first year of operation.

Both Congressmen Fascell and Fraser have long been interested in the promotion of human rights abroad.

Congressman Dante B. Fascell is Chairman of the Commission on Security and Cooperation in Europe, a joint congressional/executive branch agency responsible for monitoring the Helsinki Agreement, especially those provisions relating to human rights. In addition, Fascell chairs the Subcommittee on International Operations of the International Relations Committee, which last year initiated action creating a new Assistant Secretary of State for Human Rights and Humanitarian Affairs.

Congressman Donald M. Fraser is Chairman of the International Relations Committee's Subcommittee on International Organizations, which has held an extensive series of hearings on human rights violations throughout the world. He has authored many of the human rights provisions in current statutes.

Copies of the bill may be obtained from the Subcommittee on International Operations, B-358 Rayburn House Office Building, Washington, D. C. 20515.

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PROPOSED QUESTION AND ANSWER

Question: Does the Administration support the concept of an independent Institute for Human Rights and Freedom proposed in legislation introduced today by Congressman Fascell and Fraser?

Answer: We believe the proposed Institute for Human Rights and Freedom could play a valuable role in supporting additional activities by private organizations aimed at improving respect for internationally recognized human rights. This Administration has recognized the broad range of activities designed to improve human rights that the non-governmental organizations have carried out. The Institute could be a fully independent decisionmaker encouraging and supporting additional projects and programs by those groups aimed at raising the level of observance of human rights standards. We may have suggestions for legislation improvements after we study the bill; but we endorse the concept proposed.

Evening Reading

Congressman Dante Fascell and Donald Fraser will be introducing legislation tomorrow to establish an independent Institute for Human Rights and Freedom. The Institute is the outcome of Fascell/Fraser discussions on an endowment or foundation aimed at funding private groups working to promote international human rights. It would operate under a 7-member board of directors appointed by the President with a staff of no more than 25 persons. It would have a $5 million authorization the first year. Those funds would be used to support private nongovernmental organizations and individuals for the conduct of conferences, the publication of materials suppressed for political reasons, research and studies in the areas of human rights and fundamental freedoms, legal defense and support for the victims of political persecution. In most instances, the Institute would be supporting the activities of the private groups rather than carrying out the activity itself.

There would be consideration given to the foreign policy of the United States and the Secretary of State would be charged with keeping the Institute informed but the programs would not be subject to the direction of the State Department.

The Congressmen tentatively plan hearings in early April and desire the Administration's support. They will have a similar measure introduced in the Senate.

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